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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,798	04/03/2002	Bernd Walther	VWP-514-A	1054

7590 08/18/2004

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EXAMINER
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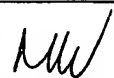
MCANULTY, TIMOTHY P

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 08/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/089,798	Applicant(s) WALTHER, BERND	
	Examiner Timothy P McAnulty	Art Unit 3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The new drawings, figures 3A-3C, were received on 04 August 2004. These drawings are accepted.

### ***Claim Rejections - 35 USC § 103***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-5, and 7-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanchet et al. in view of Mansel.

Blanchet et al. discloses in figures 1 and 2 a wiping device comprising a wiper motor 1; a gear mechanism 4; a gear housing 2; a gear housing cover 3; and an output shaft 10; wherein the gear housing has an opening on a side of the output shaft opposite a side of the output shaft to be connected to a wiper mechanism (see also lines 64-67 of column 3) but does not specifically disclose said output shaft having a crank press-fitted at an end thereof. However, Mansel teaches in figures 1 and 6 and in lines 46-59 of column 1, a crank of a wiping mechanism press-fitted on an output shaft and including a staked connection (see specifically figure 6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Blanchet et al. in view of the teachings of Mansel that it is old and well known to provide a crank press-fitted on an output shaft of a wiper gear mechanism.

The limitation that the output shaft "can be supported through the opening" for press-fitting of said crank on said output shaft merely limits the claim to the ability to perform such a function. As such the disclosure of Blanchet et al. is applicable.

***Response to Arguments***

4. Applicant's arguments filed 04 August 2004 have been fully considered but they are not persuasive. In lines 64-67 of column 3, Blanchet et al. discloses that the output shaft 10 “is coupled in the usual way to the screen wipers” at an end of the output shaft that is opposite the end of the output shaft that is located within the housing. That is, the end of the output shaft of Blanchet et al. that is connected to the crank of Mansel is the “lower end (not shown)” in Blanchet et al. Mansel teaches a usual way to connect an output shaft to a crank arm, namely pre-fitting a crank of a wiping mechanism onto an end of a crank shaft. As such, the teachings of Masel are applicable to modify the apparatus of Blanchet et al.

The limitation that the “gear housing has an opening...for supporting the output shaft during the press fit operation” merely limits the crank arm of Blanchet et al. to being able to be (can be) supported through the opening. The opening in the gear housing (covered by the gear housing cover) permits the crankshaft to being supported during the press fit operation.

***Conclusion***


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy P McAnulty whose telephone number is 703.308.8684. The examiner can normally be reached on Monday-Friday (7:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bucci can be reached on 703.308.3668. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3682

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tpm 

 8/16/04  
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SUPERVISORY PATENT EXAMINER  
TECHNICAL STAFF 11 0000